

Approved Minutes of the Technical Advisory Committee Meeting
May 15, 2007

Members present: Roger Thompson Steve Revell
Kim Greenwood Gail Center
Craig Heindel Lance Phelps
Dave Cotton Gerry Kittle
John Forcier Phil Dechert

Others present: Frank O'Brien Scott Stewart
Anne Whiteley

Scheduled meetings:

June 12, 2007 1-4 PM Room 100 Stanley Hall

Review of agenda

Accepted as drafted

Review of minutes

The minutes of the April 17, 2007 meeting were reviewed. Lance noted that there had been a previous water treatment system sub-committee that looked at lake water treatment systems. Lance asked to be added to the water treatment sub-committee.

Treatment for potable water supplies

Roger noted his concern that as currently written the rules require all water treatment systems to be designed by professional engineers. Gail said that she works with a few people who are not professional engineers that specialize in water treatment systems, particularly for single family residences (SFR). As of July 1, 2007 these SFRs will be subject to universal jurisdiction.

John noted that the statute includes some limits on what must be done by professional engineers and any changes need to fit within these limitations.

Anne stated that if there are to be any changes in the Wastewater System and Potable Water Supply Rules (Rules), which are currently under revision, the proposed changes would need to be determined in the next few weeks.

Committee members expressed concern that people would try to sell their house and find out at the last minute that there was a violation because a water treatment system had been added without a permit or that despite adding a water treatment system, especially one for pathogens, that the treatment system was not acceptable under the Rules.

The sub-committee will meet to discuss the options which might include deregulating some treatment systems, such as those only used for hardness issues, or creating a special designer license for water treatment systems. Dave and Lance will join the subcommittee and Craig asked to be excused.

H.296

Anne reviewed the bill as passed the legislature and sent to the Governor for signature, which is expected.

Clean slate is included and will be effective as soon as the bill is signed as will the change in definition of failed system and failed supply. Language was added to allow submission of record drawings for projects not constructed exactly in accord with the approved plans without automatically requiring a revision to the permit. The enforcement language related to designers was also revised so that it could be used when the design work was faulty without waiting for the faulty design to actually be constructed.

The bill includes a finding that a funding program should be created and other legislative actions will provide the money. There will be \$500k from the ANR revolving loan fund used for wastewater treatment facilities which can be loaned to people with incomes up to about \$88k. The Agency of Commerce and Community Development (ACCD) will contribute money from various sources that have various limits on income and eligibility. The plan is to administer the loans through 5 existing regional revolving loan operations. The funding can be used for replacement of both water and wastewater systems.

The bill includes an exemption for replacement wells serving only one single family home on its own individual lot.

Craig asked if someone who qualified for an in-ground system and didn't want to show a replacement area could build a mound system instead. It was agreed that they would be allowed to do so.

Scott Stewart asked about an exemption for shallow well replacement. It was not clear whether this would fall into the well drillers' domain, or if a Designer would be required.

Under Section 4 Exemptions, 2. Primitive Camps, Gerry Kittle felt that a definition was needed for "seasonal camps."

ICAR Draft of Rules

Anne stated that the Department was starting to see more towns wanting to take over jurisdiction, particularly pertaining to conversion of seasonal camps. There was also a discussion of construction in a floodplain and the problem posed by not having the floodway delineated on FIRM maps. Steve Revell reiterated his concern for granting a

reduction in disposal area sizing for the use of composting toilets. Experience has shown that there is often a desire to remove the composting toilet after a short time dealing with the maintenance issues. Anne discussed Kim's testimony to the House and other VNRC staff giving contradictory testimony to the Senate.....

Items prioritized for discussion with high, low, and medium ranking

- 1.. Encourage I/A **low**
2. Soil identification vs. perc test **medium**
3. Colorado rule **low**
4. Permit by certification **low**
5. Curtain drain with presumption of effectiveness **high**
6. Field change policy **high**
7. Revisions to desktop hydro chart **medium**
8. Minimum amount of sand under a mound **high**
9. Grandfathered design flow and conversion of use policy **high**
10. Updating of design flow chart **high**

Recommendations made:

1. Revisions to mound sand specification
2. Lake water systems

Topics list - items not ready for drafting for inclusion in rule revisions

1. Drip disposal
2. Changing the 20% slope restriction to 30%
3. Replacing perc test with soil identification approach
4. Defining when effluent is no longer wastewater
5. Disinfection
6. Colorado Rule – reduction in isolation distance to wells based on construction methods
7. Certification and audit approach to permitting
8. Field change policy
9. Revise existing desktop hydro chart
10. Conversion of use policy, including grandfathered flows
11. Revise design flows
12. Increased loading rate
13. Wells shields across property lines
14. Whether less than 12" of sand should be allowed under mound systems

Executive Committee

John Forcier, Steve Revell, Lance Phelps, Phil Dechert, and Roger Thompson
Alternates – Chris Thompson, Bernie Chenette, Spencer Harris, Jeff Williams

Subcommittees

Hydrogeology - Allison Lowry, Craig Heindel, Dave Cotton and Steve Revell.

Training subcommittee - John Forcier, Roger Thompson, Allison Lowry, Dave Cotton, and Barbara Willis.

Licensed designers - Spencer Harris, Alan Huizenga, and Gerry Kittle.

Well driller's knowledge checklist - Jeff Williams, Rodney Pingree, Roger Thompson, Bernie Chenette, Gail Center and Steve Revell.

Interested in the delegation rules - Spencer Harris, Gerry Kittle, Phil Dechert, and Alan Huizenga

Drip Disposal – Frank O'Brien, Roger Thompson, Dave Cotton, Steve Revell, Alan Huizenga

Surfacing systems – Craig Heindel, Steve Revell, Frank O'Brien, Roger Thompson, Bruce Douglas, Gail Center, and Brian Kooiker.

Water treatment systems – Gail Center, John Beauchamp, Jeff Williams, Rodney Pingree, Dave Cotton, Lance Phelps, and Roger Thompson.